

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE: BLUE CROSS BLUE SHIELD	}	Master File No.: 2:13-CV-20000-RDP
ANTITRUST LITIGATION	}	This document relates to the Provider
	}	Track cases.
(MDL NO.: 2406)	}	

[PROPOSED] SEVENTH AMENDED SCHEDULING ORDER

A. Class Certification

1. Provider Plaintiffs' Refiled Motion for Class Certification along with all supporting evidence, and Defendants' Opposition to Providers' Class Certification Brief along with all supporting evidence due: **October 9, 2020**. The parties agree that no extension of this date will be requested. Defendants' Brief will not exceed 75 pages. Neither Plaintiffs nor Defendants will make any changes to the expert reports or submit any evidence beyond what is already in the class certification record currently before the Court.

2. Time Period to depose Defendants' class certification experts: beginning **October 23, 2020 and no later than November 13, 2020**.

3. Providers' Class Certification Reply Brief and Providers' class certification expert rebuttal due: **December 2, 2020**. Providers' Reply Brief will not exceed 40 pages.

4. Deadline to depose Providers' class certification experts re rebuttal reports: **January 11, 2021**.

B. Daubert Motions

5. Providers' Daubert motions to exclude Defendants' class certification experts due: **November 23, 2020**.

6. Providers' Responses to Defendants' Daubert motions to exclude Providers' class certification experts due: **November 23, 2020.**

7. Defendants' Responses to Providers' Daubert motions to exclude Defendants' class certification experts due: **January 19, 2021.**

8. Defendants' Replies to Daubert motions to exclude Providers' class certification experts due: **February 2, 2021.**

9. Providers' Replies in support of their Daubert motions to exclude Defendants' class certification experts due: **February 22, 2021.**

C. Merits and Damages Reports

10. Deadline for Defendants to produce Damages and Merits Expert Reports and Discovery: **December 2, 2020.**

11. Deadline to depose Defendants' Damages and Merits Experts: **January 18, 2021.**

12. Deadline for Providers to submit Damages and Merits expert rebuttal reports: **February 1, 2021.**

13. Deadline to depose Providers' damages and merits experts re rebuttal reports: **March 12, 2021.**

D. Dispositive Motions

14. All potentially dispositive motions on issues of liability which are not critically dependent on the outcome of class certification, materials in support, and supporting expert reports under Fed. R. Civ. P. 26(a)(2) are due **on or before March 18, 2021.** The parties will meet and confer as to an appropriate briefing schedule after the filing of such a Motion or Motions, and present a schedule or competing proposals to the court **within 7 days after the filing of any potentially dispositive motion.**

E. Discovery and Privilege Review

15. The parties will meet and confer about any additional discovery needed for trial in the prioritized proceeding and/or for completion of the MDL proceeding, and if they do not reach agreement, may move for permission to conduct such discovery, with both parties reserving all rights. Judge Harwood shall suspend issuance of any Reports and Recommendations based on his review of additional samples of Defendants' privileged documents (Doc. # 2394) (and the parties' responses thereto shall also be suspended) until further notice from the court.

F. Preconference and Trial

16. As necessary, the court will set a pretrial conference after ruling on class certification and/or dispositive motions.

The court reserves the power to modify the terms of this Order.

DONE and ORDERED this

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE